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## Fax Transmittal

**To: Commissioner for Patents**

**Fax: 1-571-273-8300**

**From: Linnaea Freeman**

**Re: Filing Receipt Correction**

**Pages (including cover): 9**

**Notes: Reference: Please correct the name of the city for Jason Matthew Walter Kind; instead of Borhell it should be Bothell on page one of the filing receipt mailed on October 10, 2008.**

**Included with this fax is a copy of the filing receipt with a circled correction on page one and a copy of the Combined Declaration and Power of Attorney that was filed with the name of the correct city on page eight circled.**

**Please issue a corrected filing receipt. Thank you!**

**Sadler, Breen, Morasch & Colby, PS  
422 W. Riverside Ave, Ste 424  
Spokane, WA 99201  
Phone: (509) 755-7262 — Fax: (509) 755-7252**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22315-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRF ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/046,135	01/11/2002	2162	735	DAND0003	19	3

CONFIRMATION NO. 9254

## CORRECTED FILING RECEIPT



0100000032511005

Date Mailed: 10/10/2008

75671  
 Sadler, Breen, Morasch & Colby, pa  
 422 W. Riverside Ave, Suite 424  
 Spokane, WA 99201

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

## Applicant(s)

Kiran Venkatesh Hegde, Redmond, WA;  
 Raymond Edward McGrath III, Bellevue, WA;  
 Jason Matthew Walter Kind, Bothell, WA; Bothell, WA  
 Eric Kane Krause, Woodinville, WA;  
 Josiah DeWitt, Renton, WA;

Power of Attorney: The patent practitioners associated with Customer Number 75671

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/261,712 01/12/2001

## Foreign Applications

If Required, Foreign Filing License Granted: 02/11/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/046,135**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

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**Title**

**METHOD AND SYSTEM FOR GENERATING AND PROVIDING RICH MEDIA PRESENTATIONS  
OPTIMIZED FOR A DEVICE OVER A NETWORK**

**Preliminary Class**

707

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where.

page 2 of 3

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

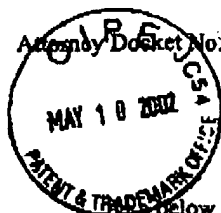
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time. If the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Attorney Docket No. 50023.08USU1



MERCHANT &amp; GOULD P.C.

United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

Below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND SYSTEM FOR GENERATING AND PROVIDING RICH MEDIA PRESENTATIONS OPTIMIZED FOR A DEVICE OVER A NETWORK.

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on January 11, 2002 as application serial no. 10/046,135 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/261,712	January 12, 2001

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 40,481	Leonard, Christopher J.	Reg. No. 41,940
Ali, M. Jeffery	Reg. No. 46,359	Liepa, Mara E.	Reg. No. 40,066
Altera, Allan G.	Reg. No. 40,274	Lindquist, Timothy A.	Reg. No. 40,701
Anderson, Gregg I.	Reg. No. 28,828	Lown, Jean A.	Reg. No. 48,428
Batzli, Brian H.	Reg. No. 32,960	Mayfield, Denise L.	Reg. No. 33,732
Beard, John L.	Reg. No. 27,612	McDonald, Daniel W.	Reg. No. 32,044
Berns, John M.	Reg. No. 43,496	McIntyre, Jr., William F.	Reg. No. 44,921
Branch, John W.	Reg. No. 41,633	Mitchem, M. Todd	Reg. No. 40,731
Brown, Jeffrey C.	Reg. No. 41,643	Mueller, Douglas P.	Reg. No. 30,300
Bruess, Steven C.	Reg. No. 34,130	Nelson, Anna M.	Reg. No. 48,935
Byrne, Linda M.	Reg. No. 32,404	Paley, Kenneth B.	Reg. No. 38,989
Campbell, Keith	Reg. No. 46,597	Parsons, Nancy J.	Reg. No. 40,364
Carlson, Alan G.	Reg. No. 25,959	Pauly, Daniel M.	Reg. No. 40,123
Caspers, Philip P.	Reg. No. 33,227	Phillips, John B.	Reg. No. 37,206
Clifford, John A.	Reg. No. 30,247	Pino, Mark J.	Reg. No. 43,858
Cook, Jeffrey	Reg. No. 48,649	Prendergast, Paul	Reg. No. 46,068
Daignault, Ronald A.	Reg. No. 25,968	Pytel, Melissa J.	Reg. No. 41,512
Daley, Dennis R.	Reg. No. 34,994	Qualey, Terry	Reg. No. 25,148
Daulton, Julie R.	Reg. No. 36,414	Reich, John C.	Reg. No. 37,703
DeVries Smith, Katherine M.	Reg. No. 42,157	Reiland, Earl D.	Reg. No. 25,767
DiPietro, Mark J.	Reg. No. 28,707	Samuels, Lisa A.	Reg. No. 43,080
Doscoth, Matthew A.	Reg. No. P-48,957	Schmaltz, David G.	Reg. No. 39,828
Edell, Robert T.	Reg. No. 20,187	Schuman, Mark D.	Reg. No. 31,197
Epp Ryan, Sandra	Reg. No. 39,667	Schumann, Michael D.	Reg. No. 30,422
Glance, Robert J.	Reg. No. 40,620	Scull, Timothy B.	Reg. No. 42,137
Goff, Jared S.	Reg. No. 44,716	Sebald, Gregory A.	Reg. No. 33,280
Goggin, Matthew J.	Reg. No. 44,125	Skoog, Mark T.	Reg. No. 40,178
Golla, Charles E.	Reg. No. 26,896	Spellman, Steven J.	Reg. No. 45,124
Gorman, Alan G.	Reg. No. 38,472	Stewart, Alan R.	Reg. No. 47,974
Gould, John D.	Reg. No. 18,223	Stoli-DeBell, Kirstin L.	Reg. No. 43,164
Gregson, Richard	Reg. No. 41,804	Sullivan, Timothy	Reg. No. 47,981
Gresens, John J.	Reg. No. 33,112	Summer, John P.	Reg. No. 29,114
Hammer, Samuel A.	Reg. No. 46,754	Swenson, Erik G.	Reg. No. 45,147
Hamre, Curtis B.	Reg. No. 29,165	Tellekson, David K.	Reg. No. 32,314
Harrison, Kevin C.	Reg. No. 46,759	Trembath, Jon R.	Reg. No. 38,344
Hertzberg, Brett A.	Reg. No. 42,660	Tumheim, Marcia A.	Reg. No. 42,189
Hillson, Randall A.	Reg. No. 31,838	Underhill, Albert L.	Reg. No. 27,403
Holzer, Jr., Richard J.	Reg. No. 42,668	Vandenburgh, J. Derek	Reg. No. 32,179
Hope, Leonard J.	Reg. No. 44,774	Wahl, John R.	Reg. No. 33,044
Jardine, John S.	Reg. No. P-48,835	Weaver, Paul L.	Reg. No. 48,640
Johns, Nicholas P.	Reg. No. 48,995	Welter, Paul A.	Reg. No. 20,890
Johnston, Scott W.	Reg. No. 39,721	Whipps, Brian	Reg. No. 43,261
Kadievitch, Natalie D.	Reg. No. 34,196	Whitaker, John E.	Reg. No. 42,222
Kaseburg, Frederick A.	Reg. No. 47,695	Wier, David D.	Reg. No. P-48,229
Kettelberger, Denise	Reg. No. 33,924	Williams, Douglas J.	Reg. No. 27,054
Keys, Jeramie J.	Reg. No. 42,724	Withers, James D.	Reg. No. 40,376
Knearl, Homer L.	Reg. No. 21,197	Witt, Jonelle	Reg. No. 41,980
Kowalchuk, Alan W.	Reg. No. 31,535	Wong, Thomas S.	Reg. No. 48,577
Kowalchuk, Katherine M.	Reg. No. 36,848	Wu, Tong	Reg. No. 43,361
Lacy, Paul E.	Reg. No. 38,946	Young, Thomas	Reg. No. 25,796
Larson, James A.	Reg. No. 40,443	Zeuli, Anthony R.	Reg. No. 45,255

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:


Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Hegde	First Given Name Kiran	Second Given Name Venkatesh
0	Residence & Citizenship	City Redmond	State or Foreign Country Washington	Country of Citizenship USA
1	Mailing Address	Address 15618 NE 106 <sup>th</sup> Court	City Redmond	State & Zip Code/Country Washington 98052 / USA
Signature of Inventor 201:				Date: 4/19/02
2	Full Name Of Inventor	Family Name McGrath III	First Given Name Raymond	Second Given Name Edward
0	Residence & Citizenship	City Bellevue	State or Foreign Country Washington	Country of Citizenship USA
2	Mailing Address	Address 3102 - 92 <sup>nd</sup> Avenue NE	City Bellevue	State & Zip Code/Country Washington 98004 / USA
Signature of Inventor 202:				Date: 4/19/2002
2	Full Name Of Inventor	Family Name Kind	First Given Name Jason	Second Given Name Manhew Walter
0	Residence & Citizenship	City Shoreline <i>Borholl</i>	State or Foreign Country Washington	Country of Citizenship USA
3	Mailing Address	Address <i>8519 NE 176th St.</i> 16031 11 <sup>th</sup> Avenue NE	City <i>Borholl</i> Shoreline	State & Zip Code/Country Washington 98148 / USA <i>SK</i>
Signature of Inventor 203:				Date: 4/19/02
2	Full Name Of Inventor	Family Name Krause	First Given Name Eric	Second Given Name Kane
0	Residence & Citizenship	City Woodinville	State or Foreign Country Washington	Country of Citizenship USA
4	Mailing Address	Address 17520 167 <sup>th</sup> Avenue NE	City Woodinville	State & Zip Code/Country Washington 98072 / USA
Signature of Inventor 204:				Date: 4/19/02

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> DeWitt	<b>First Given Name</b> Josiah	<b>Second Given Name</b> (none)
0	<b>Residents &amp; Citizenship</b>	<b>City</b> Renton	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
5	<b>Mailing Address</b>	<b>Address</b> 408 Monroe Avenue NE, Suite 305	<b>City</b> Renton	<b>State &amp; Zip Code/Country</b> Washington 98056-8451 / USA
<b>Signature of Inventor 205:</b> 			<b>Date:</b> 4/19/2002	